



# **Mid-Region Council of Governments**

## **Information and Records Management Policy**

### **Purpose**

The purpose of this policy is to provide guidance and direction on the creation and management of information and records, and to clarify staff responsibilities. The Mid-Region Council of Governments (MRCOG) is committed to establishing and maintaining information and records management practices that meet its business needs, accountability requirements and legal compliance.

The benefits of compliance with this policy will be trusted information and records that are well described, stored in known locations and accessible to staff and clients when needed.

This policy is supported by complementary policies, additional guidelines, and procedures which are located in the Imaging Plan, Financial Policies, Disaster Recovery Plan, and MRCOG's Public Participation Plan on the MRCOG's website at:

<http://www.mrcog-nm.gov/transportation/metro-planning/public-participation>.

The Disaster Recovery Plan is located at: W/Common/Disaster Recovery and all other policies are located at: W/Common/Policies.

### **Policy Statement**

MRCOG's information and records is an agency asset, vital both for ongoing operations and also in providing valuable evidence of business decisions, activities and transactions. Proper record management ensures accountability, transparency, efficiency and legal compliance of the government agency.

There is an expectation that MRCOG will be able to provide records in accordance with the New Mexico Inspection of Public Records Act, 14-2-1 NMSA 1978 et seq. and is committed to creating and keeping accurate and reliable records to meet this obligation.

MRCOG is also committed to the principles and practices set out in whole-of-government policies and best-practice standards. MRCOG is adopting the applicable provisions of 1.21.2 NMAC, Retention and Disposition of Public Records, 1.13.4 NMAC Records Management Requirements for Electronic Messaging, 1.13.3 NMAC Management of Electronic Records, 1.13.30 NMAC Disposition of Public Records and Non-records, and 1.14.2 NMAC Microphotography Systems, Microphotography Standards.

All information and records management practices in MRCOG are to be in accordance with this policy and its supporting procedures.

## **Scope**

This policy applies to MRCOG staff and contractors, to all aspects of the agency's business and all business information created and received. It covers information and records in all formats including documents, email, voice messages, memoranda, minutes, audio-visual materials and business system data. The policy also covers all business applications used to create, manage and store information and records including the official records management systems, email, websites, social media applications, databases and business information systems. This policy covers information and records created and managed in-house and off-site.

## **Legislation and Other Key Mandates**

MRCOG must comply with the following state and federal regulations:

- 2 CFR 200 Parts 333 to 337, Record Retention and Access
- 1.21.3 NMAC, Local Government Records Management Guidance
- New Mexico Inspection of Public Records Act, 14-2-1 NMSA 1978 et seq.
- 23 CFR Part 450, Subpart C-Metropolitan Transportation Planning and Programming
- New Mexico Department of Transportation Policies and Procedures Manual (PPM) (On file in Transportation Planning Department)

## **Definitions and Acronyms**

CFR – Code of Federal Regulations

Electronic Message – Includes, but is not limited to, a text message, social media and email that is created and delivered in an electronic format (1.13.4 NMAC).

Public Record – Books, papers, maps, photographs, or other documentary materials, regardless of physical form or characteristics, made or received by an agency in pursuance of law or in connection with the transaction of public business, preserved or appropriate for preservation by the agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations or other activities of



the government, or because of the informational and historical value of the data contained therein (14-3-2 NMSA 1978).

Native Format – The file format that a software application uses to create or save files (1.13.4 NMAC).

NMAC – New Mexico Administrative Code

NMSA – New Mexico Statutes Annotated

Non-record – Extra copies of documents kept solely for convenience of reference, stocks of publications, transitory records, records not usually included within the scope official records of a government entity, and library material intended only for reference. The following are examples of non-records: materials neither made nor received in connection with the functional responsibility of the officials, employees or agency, extra copies of correspondence, preliminary drafts of letters, reports and memoranda, blank forms, transmittal letters or forms that do not add information, sample letters, informational files, shorthand notes, stenographic tapes or mechanical recordings which have been transcribed.

Record – Information preserved by any technique in any medium that can be recognized by ordinary human sensory capabilities either directly or with the aid of technology.

Transitory – Messages which serve to convey information of temporary importance in lieu of oral communication. Transitory messages are only required for a limited time to ensure the completion of a routine action or the preparation of a subsequent record. Transitory messages are not required to control, support or to document the operations of government (1.21.2 NMAC). Electronic messages may be transitory messages.

## **Roles and Responsibilities**

**All Employees:** All staff are responsible for the creation and management of information and records as defined by this policy.

Additional responsibilities for certain staff are listed below:

**Executive Director:** The Executive Director is ultimately responsible for the management of information and records within the agency. The Executive Director has authorized this policy. The Executive Director promotes compliance with this policy, delegates responsibility for the operational planning and running of information and records management to an employee in the organization and ensures the agency's information and records program is adequately resourced.

**Executive Management:** Directors are responsible for the visible support of, and adherence to, this policy by promoting a culture of compliant information and records

management within the organization and contributing to the development of strategic documents such as the information and records management framework and strategy.

**Records Custodian:** Staff appointed by the Executive Director to handle applications for access to public records under the New Mexico Inspection of Public Records Act (14-2-1 NMSA 1978 et seq.).

**Records Administrator:** Under the leadership of the Executive Director, the Records Administrator is responsible for overseeing the management of information and records in this organization consistent with the requirements described in the policy. This includes providing training, advice and general support to staff, creating, developing or acquiring and implementing information and records management products and tools, including systems to assist in the creation of complete and accurate records, developing and implementing strategies to enable sound records management practices, monitoring compliance with information and records management policies and directives and advising senior management of any risks associated with non-compliance.

**IT Staff:** IT staff are responsible for maintaining the technology for MRCOG's business information and records systems, including maintaining appropriate system accessibility, security and back up. IT staff should ensure that any actions, such as removing data from systems or folders, are undertaken in accordance with this policy. IT staff and the Records Administrator have an important joint role in ensuring that systems support accountable and effective information and records management across the organization.

**Managers and Supervisors:** Managers and supervisors are responsible for ensuring staff, including contract staff, are aware of, and are supported to follow the information and records management practices defined in this policy. They should advise the information and records management unit of any barriers to staff complying with this policy. They should also advise the unit of any changes in the business environment which would have an impact on information and records management requirements, such as new areas of business that need to be covered by a records authority.

## **Roles and Responsibilities Specific to AX**

**Full Access Users:** Full Access are those personnel whose normal duties include the creation of documents that are included in this plan, and include but are not limited to accounting personnel, purchasing personnel, contracting personnel, human resources personnel, Board secretaries, administrative personnel, program managers. Full Access Users are responsible for ensuring that documents are properly converted, filed, indexed; and that documents are readable, complete, and retrievable.

**Read Only Users:** Read Only users are those personnel whose duties only require access to look up documents. They have no ability to create and edit files within AX.



**Quality Control:** Full Access Users and Managers are responsible for the Quality Control of each record filed into AX. Each User shall ensure readability, accessibility, retrievability and completeness of each record filed in AX. Department managers are responsible for ensuring Full Access Users are fulfilling their responsibilities regarding quality control.

## **Creation and Maintenance of Information and Records**

It is management's and employees' responsibility to determine if a record is a Public Record or a non-record. Records must be managed, maintained and disposed of by everyone subject to this policy. Public records created and received must be captured into endorsed information and records systems. Public records shall be stored and maintained in accordance with the MRCOG Schedule of Documents and Retention Requirements located at [W/Common/Policies/MRCOG Schedule of Documents and Retention Requirements](#) .

## **Electronic Messaging**

Electronic messages sent or received from a computer outside MRCOG's electronic messaging system that is classified as a public record, shall be transferred to the an endorsed records management system and maintained in accordance with MRCOG Schedule of Documents and Retention Requirements located at [W/Common/Policies/MRCOG Schedule of Documents and Retention Requirements](#). The email system is not considered an endorsed records management system.

Identifying the Official Copy of a Record - The official copy is an electronic message received from an outside source, the sender's copy or the final electronic message of a thread discussion.

Messages and attachments classified as public records must be maintained in their native format until their final disposition.

## **Systems Used to Maintain Information and Records**

MRCOG's primary information and records management system is the electronic document records management system, known as ApplicationXtender Document Manager (AX). Where possible, all incoming paper correspondence received by the organization should be converted to digital format and saved into AX. In limited circumstances, such as for particular security purposes, there may be a requirement for paper files to be created. The Records Administrator should be contacted in these instances.

The following business and administrative databases and software applications are endorsed for the capture and storage of specific information and records. These include:

- Entity Wide-ApplicationXtender Document Manager
- Finance/Accounting-Abila MIP General Ledger Accounting System
- Kronos/City of Albuquerque system-electronic timecards
- Paper files as determined necessary by the department managers

These endorsed systems appropriately support information and records management processes such as creation and capture, storage, protection of integrity and authenticity, security, access and retention, destruction and transfer.

## **Access to Information and Records**

The public has legislative rights to apply for access to information held by our organization under the New Mexico Inspection of Public Records Act, 14-2-1 NMSA 1978 et seq. This applies to all information held by the agency, whether in officially endorsed records management systems or in personal storage, such as email folders or shared and personal drives. Responses to requests for access under the Inspection of Public Records Act, 14-2-1 NMSA et seq., are the responsibility of the Records Custodian.

## **Retention and Destruction**

Agency records are destroyed when they reach the end of their required retention period per 1.21.2 NMAC, Retention and Disposition of Public Records. Refer to MRCOG Schedule of Documents and Retention Requirements located at [W/Common/Policies/MRCOG Schedule of Documents and Retention Requirements](#).

The Records Administrator will obtain written authorization from Department Managers prior to destruction of records. Proof or certification of destruction will be obtained and maintained by the Records Administrator.

The following methods are approved methods of destruction:

1. Records that contain confidential or sensitive information must be destroyed through a bonded document recycling vendor by shredding in such a manner that the information cannot be read, interpreted or reconstructed.
2. Records that do not contain confidential or sensitive information shall be destroyed by recycling by a bonded recycling vendor, shredding, or dumpster burial.
3. Electronic records shall be destroyed by erasure from electronic and all back up media.

Destruction of non-records does not require approval of the Records Administrator or certification of destruction.

## **Communication and Training**



These policies will be communicated to the entire organization, new employees will be provided a copy of these policies upon orientation by Human Resources, and training will be provided periodically as appropriate to the employees' level of duties. The Records Administrator will maintain the training curriculum and ensure it's relevant and up to date.

### **Records Management when Employees Separate**

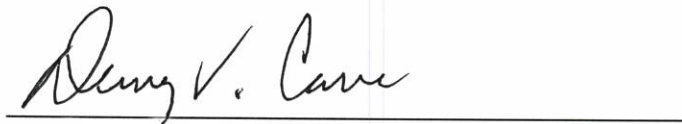
When employees separate from service, the department manager is responsible for ensuring that the employee's records are left in an orderly manner and are maintained, transferred, and/or disposed of according to the retention schedule. Responsibility for any remaining active records should be transferred to the employee to whom the job duties of the departing employee are assigned or to the department manager.

### **Monitoring and Review**

This policy will be updated as needed if there are any changes in the business or regulatory environment. These policies will be reviewed at a minimum of every 5 years. This review will be initiated by the Records Administrator and conducted by a committee appointed by the Executive Director.

Compliance with this policy will be monitored by the Records Administrator. Levels of compliance will be reported at least annually to the Executive Director.

### **Approved**



Dewey V. Cave, Executive Director



Date approved